

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:09-CR-00224-RJC

USA

v.

ANTON SOWELL

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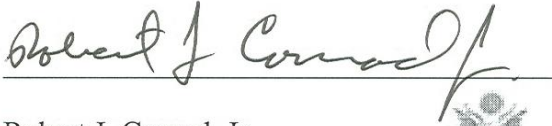
ORDER

**THIS MATTER** is before the Court upon the defendant's pro se motion for a concurrent sentence. (Doc. No. 99). According to the motion, after this Court sentenced the defendant for armed bank robbery (Count Two) and using a firearm during that crime of violence (Count Four) on September 13, 2011, (Doc. No. 86: Judgment), he was returned to state custody where he was sentenced in separate cases for armed robbery, aggravated assault, and burglary, (Doc. No. 99 at 1-2).

A federal court has discretion to announce whether its sentence will be served concurrently with or consecutively to an anticipated state sentence, Setser v. United States, 132 S. Ct. 1463, 1468 (2012). Although the defendant's federal presentence report included some of the pending state charges, (Doc. No. 75 at 8-9), the Judgment is silent about that issue, and the defendant has not shown any authority to alter it now. Multiple terms of imprisonment imposed at different times run consecutively unless a judgment states otherwise, 18 U.S.C. § 3584(a), and the sentence for Count Four may not be served concurrently with any other term of imprisonment, 18 U.S.C. § 924(c)(1)(D)(ii).

**IT IS, THEREFORE, ORDERED** that the defendant's request for a concurrent sentence, (Doc. No. 99), is **DENIED**.

Signed: August 20, 2018

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.  
United States District Judge

